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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/943,016	08/30/2001	Soon-Jin Kim	678-708 (P9751)	9518
28249	7590	12/02/2004	EXAMINER	
DILWORTH & BARRESE, LLP 333 EARLE OVINGTON BLVD. UNIONDALE, NY 11553			PWU, JEFFREY C	
			ART UNIT	PAPER NUMBER
			2143	

DATE MAILED: 12/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/943,016	KIM ET AL.	
	Examiner	Art Unit	
	Jeffrey Pwu	2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/1/03</u> | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-2, 4-5, and 7-8 are rejected under 35 U.S.C. 102(e) as being unpatentable over Halahmi (U.S.

6,684,088)

Halahmi discloses claims:

1. A system for providing an E-mail service through a portable terminal with a wireless Internet access function, comprising: a multimedia server (20, 26) for receiving a multimedia E-mail message (col.1, lines 42-59; col.9, lines 53-60) including multimedia data and E-mail data to be transmitted to the portable terminal, storing the multimedia data in an internal local memory, and adding URL information as a predetermined format string to the E-mail message (col.5, lines 1-16); an E-mail server for receiving the E-mail message from the multimedia server and notifying the receiving portable terminal of the arrival of the E-mail message (col.3, lines 23-39); and the portable terminal for receiving the E-mail message from the E-mail server, parsing the E-mail message, and displaying the E-mail message with multimedia link information if the predetermined format string is confirmed (20, 26, 16).

2. The system of claim 1, wherein upon request for the multimedia data stored in the multimedia server, the multimedia data is transmitted in a streaming file format and if a user of the portable terminal selects a multimedia service, the portable terminal is connected to the multimedia server and then to a multimedia URL, and receives, reproduces, and outputs the multimedia data (col.3, lines 1-49).

4. A method of providing an E-mail service through a portable terminal with a wireless Internet access function in a system having a multimedia server and an E-mail server connected to the Internet, comprising the steps of: receiving a multimedia E-mail message including multimedia data and E-mail data to be transmitted to the portable terminal, storing the multimedia data in an internal local memory, adding URL information as a predetermined format string to the E-mail message, and transmitting the E-mail message to the E-mail server in the multimedia server; receiving the E-mail message from the multimedia server and notifying the receiving portable terminal of arrival of the E-mail message in the E-mail server; and receiving the E-mail message from the E-mail server, parsing the E-mail message, and displaying the E-mail message with multimedia link information if the predetermined format string is confirmed in the portable terminal (col.1, lines 42-59; col.9, lines 53-60; abstract; col.3, lines 1-49).

5. The method of claim 4, further comprising the steps of transmitting the multimedia data in a streaming file format upon requesting the multimedia data stored in the multimedia server; and connecting the portable terminal to the multimedia server and then to a multimedia URL, and receiving, reproducing, and outputting the multimedia data in the portable terminal if a user of the portable terminal selects a multimedia service (col.3, lines 1-49).

7. A method of providing an E-mail service in a portable terminal with a wireless Internet access function, comprising the steps of receiving an E-mail message from a multimedia server if arrival of the Email is notified and an E-mail function is invoked; and displaying the E-mail message with multimedia link information if it is confirmed that the link information is a predetermined format string (col.4, line 49-col.6, line 65).

8. The method of claim 7, further comprising the step of connecting to the multimedia server and then to a multimedia URL, and receiving, reproducing, and outputting multimedia data in a streaming file format if a user of the portable terminal selects a multimedia service (col.3, lines 1-49).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3, 6, 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Halahmi in view of Gardell et al. (U.S. 6,049,831)

Halahmi discloses all of the claimed invention except for the showing of a multimedia server being a VOD (video on demand) server.

Gardell et al. disclose a web server 830 to transfer an e-mail notification using Graphical user interface (GUI) platform for delivery of television video-on-demand (VOD) services. It would have been obvious to a person having ordinary skill in the art at the time of the invention was made to use Halahmi's system/method to provide an E-mail service using a video on demand server, as taught by Gardell et al., for delivering video streams and to allow users to efficiently and cost-effectively deliver and manage high bandwidth products through a portable terminal.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey Pwu whose telephone number is 571 272-6798. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 571 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2143

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Monday, November 22, 2004

JEFFREY PWU
PRIMARY EXAMINER